

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be INITIATED or **REFERRED** (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

This law will restrict the existing state law to mandate that a person may only be prosecuted and incarcerated for a crime that has a tangible and identifiable victim, including animals and property, other than the person committing the crime. In effect, the law will add an element of extrinsic harm to every crime and prevent lawmakers from criminalizing behavior based on morals, social acceptance, or religious beliefs. The law will also focus law enforcement resources on criminal behavior that brings harms to others.

[FOX PETITIONS SUPPORTING
VICTIMLESS CRIME ACT]

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Signature of Applicant

JANICE SALERNO
Printed Name of Applicant

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Address

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JANICE Salerno - chairman

Name of Officer and Title

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FOX SALERNO - TREASURER

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Date of Application September 28, 2011

Signatures Required 172, 809

Deadline for Filing July 5, 2012

Serial Number Issued I-10-2012

FOR OFFICE USE ONLY

OFFICIAL TITLE

AMENDING SECTION 13-201, ARIZONA REVISED STATUTES, RELATING TO CRIMINAL LIABILITY.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the people of the state of Arizona:

Section 1. Title.

This act may be cited as the "Victimless Crime Act."

Section 2. Findings.

The People of Arizona find and declare the following:

Charging, trying, convicting, and incarcerating a person for a crime without a tangible victim is an unnecessary consumption of judicial, prosecutorial, defense, and correction resources.

Incarceration of a person who only does harm to one's self does not enhance public safety.

Therefore, the purpose of this Act is to restrict the existing state law to mandate that a person may only be prosecuted and incarcerated for a crime that has a tangible and identifiable victim other than the person committing the crime.

Section 3. Section 13-201, Arizona Revised Statutes, is amended to read:

13-201. Requirements for Criminal Liability.

A. The minimum requirement for criminal liability is the performance by a person of conduct which includes a voluntary act or the omission to perform a duty imposed by law which the person is physically capable of performing.

B. NOTWITHSTANDING ANY OTHER PROVISION IN THE LAW, A PERSON DOES NOT HAVE CRIMINAL LIABILITY FOR CONDUCT THAT DID NOT HARM, OR WILL NOT BRING HARM TO, ANOTHER PERSON, ANOTHER PERSON'S PROPERTY, OR ANIMAL.

Section 4. Effective Date.

This act shall be effective upon certification of the secretary of state, and made applicable to all pending criminal prosecutions that have not concluded with an imposition of sentence.

Section 5. Severability.

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

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SECRETARY OF STATE